

JS-6

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

AKAMAI TECHNOLOGIES, INC.,

Plaintiff and Counterclaim-
Defendant,

v.

MEDIAPOINTE, INC. AND AMHC,
INC.,

Defendants and
Counterclaimant.

Case No. 2:22-cv-06233-MCS-SHKx

FINAL JUDGMENT

Honorable Mark C. Scarsi

Plaintiff and Counterclaim-Defendant Akamai Technologies, Inc. (“Akamai”) and Defendants and Counterclaim-Plaintiffs MediaPointe, Inc. and AMHC, Inc. (together, “MediaPointe”) have stipulated that the Court’s January 3, 2024 Orders granting (1) Akamai’s Motion to Strike Undisclosed Infringement Theories from Dr. Aviel Rubin’s Opening Expert Report [ECF No. 181] and (2) Akamai’s Motion for Summary Judgment of Non-Infringement and Finding Motions to Strike Moot (ECF No. 182) together resolve all the remaining claims and counterclaims at issue in this case and that there are no remaining triable issues. Accordingly, pursuant to the Court’s January 3, 2024 Orders [ECF Nos. 181 and 182], the Court’s July 7, 2023 Order Regarding Claim Construction [ECF No. 101], and the Parties’ Joint Stipulation to Entry of Judgment, the Court orders, adjudges, and decrees that Final Judgment is hereby entered in favor of Akamai as follows:

1. With respect to U.S. Patent No. 8,559,426 (the “’426 patent”):
 - a. Judgment is entered in favor of Akamai that claims 1-17 of the ’426 patent are invalid as indefinite (Count I of Akamai’s Counterclaims, Dkt. 44);
 - b. Akamai’s Claim for Declaratory Judgment of Noninfringement of U.S. Patent No. 8,559,426 (Count I of Akamai’s First Amended Complaint) and MediaPointe’s Claims for Direct, Induced, and Willful Infringement of the ’426 Patent (Counts I–III of MediaPointe’s First Amended Counterclaims, Dkt. 45) are dismissed as moot without prejudice to addressing any remaining alleged infringement issues in the event of any remand to this Court;
2. With respect to U.S. Patent No. 9,426,195 (the “’195 patent”):
 - a. Judgment is entered in favor of Akamai that it does not infringe any asserted claim (claims 1, 3-4, and 6-8) of the ’195 patent (Count II of Akamai’s First Amended Complaint, Dkt. 29); and

b. Judgment is entered in favor of Akamai that claims 2 and 13-19 of the '195 patent are invalid as indefinite (Count II of Akamai's Counterclaims, Dkt. 44) and Akamai's invalidity counterclaim with respect to the remaining claims of the '195 patent is dismissed as moot without prejudice;

c. Judgment is entered in favor of Akamai with respect to MediaPointe's counterclaim that Akamai infringes the '195 patent, which is dismissed with prejudice (Count IV of MediaPointe's First Amended Counterclaims, Dkt. 45).

3. MediaPointe shall receive no monetary or injunctive relief.

4. The Court will address any motion by Akamai for costs and/or attorneys' fees in a separate order. Fed. R. Civ. P. 54(d); L.R. 54-7.

IT IS SO ORDERED.

Dated: February 9, 2024



By: _____

Mark C. Scarsi
United States District Judge